

AMENDED IN SENATE APRIL 7, 2015

SENATE BILL

No. 636

Introduced by Senator Liu

(Principal coauthor: Assembly Member Weber)

(Coauthors: Senators ~~Hancock~~ *Hancock*, *Wieckowski*, and *Wolk*)

(Coauthors: Assembly Members Bonilla, ~~Calderon~~, *Bonta*, *Calderon*,
Campos, Chiu, Dodd, Frazier, McCarty, and Santiago)

February 27, 2015

An act to add Chapter 6.1 (commencing with Section 13710) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 636, as amended, Liu. Homeless youth: basic material needs assistance.

Existing law establishes various public social services programs to provide protection, care, and assistance to the people of the state in need of those services, by providing appropriate aid and services to the needy and distressed. Existing law establishes homeless youth emergency service pilot projects in the Counties of Los Angeles, San Diego, Santa Clara, and San Francisco.

This bill would create the Homeless Youth Basic Material Needs Assistance Program. This bill would require that moneys appropriated by the Legislature for the purposes of the program be allocated proportionally by the State Department of Social Services to each county program based on the number of homeless youth in the county. The bill would authorize a county to establish the program or request the department to administer the program, in which case the department would be required to retain the county's proportional share of funds

and directly administer a program in that county. The bill would authorize a county to join with one or more other counties for the purpose of pooling their respective allocations and establishing a program for those counties. The bill would require each program to solicit proposals from, and contract with, nonprofit organizations for the purpose of providing basic material needs assistance to homeless youth in the county or counties as directed by the entity administering the program. The bill would require contracted nonprofit organizations to, among other things, provide a minimum of 25% matching funds, as specified. *The bill would require each contracted nonprofit to prepare a report for the administering entity including, among other information, the number of homeless youth assisted. The bill would require the department, after the program has been operating for 3 years, to issue a report including, among other information, the number of homeless youth assisted each year, and a description of the assistance provided.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) During the 2013–14 academic year, 297,617 children and
- 4 youth enrolled in local educational agencies in California were
- 5 identified as homeless, as defined by the federal McKinney-Vento
- 6 Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). This
- 7 population is several times more than that of any other state in the
- 8 nation and equates to one homeless student in every classroom.
- 9 (b) ~~The~~ This federal definition of homelessness is used by all
- 10 public schools in the United States, the Head Start program, and
- 11 special education, child nutrition, and other federal family and
- 12 youth programs. It includes children and youth who lack a fixed,
- 13 regular, and adequate nighttime residence, including those who
- 14 live in shelters, transitional housing, cars, campgrounds, motels,
- 15 or who share the housing of others temporarily due to loss of
- 16 housing, economic hardship, or similar reasons.
- 17 (c) A significant barrier to success faced by homeless children
- 18 and youth is access to basic materials including school supplies,
- 19 shoes, hygienic and dental products, and other basic necessities.
- 20 This and the accompanying low self-esteem lead to absenteeism

1 and truancy, which prevents homeless youth from obtaining the
2 education that is both their legal right and their best opportunity
3 to escape poverty.

4 (d) According to numerous homeless liaisons throughout
5 California that represent more than 70 percent of California's
6 homeless children and youth, the overwhelming majority of this
7 population does not have their basic material needs met.

8 (e) The local control funding formula does not specifically
9 address the unmet basic material needs of homeless children and
10 youth.

11 (f) This act addresses this barrier to success by articulating a
12 state policy framework to provide the most basic unmet material
13 needs of homeless children and youth, while also utilizing matching
14 resources and leveraging federal funds to ensure program stability
15 and longevity. This act is designed to ensure that all homeless
16 public school students have their basic material needs met so they
17 can attend school on a more equal playing field with their peers.

18 (g) *It is the intent of the Legislature that funds appropriated by*
19 *the Legislature for this program not exceed an average allocation*
20 *of twenty-five dollars and twenty cents (\$25.20) per pupil, with*
21 *the assumption of a participation rate of not more than 297,619*
22 *homeless youth, or the number from the most recent count of*
23 *homeless youth, whichever is lesser.*

24 SEC. 2. Chapter 6.1 (commencing with Section 13710) is added
25 to Part 3 of Division 9 of the Welfare and Institutions Code, to
26 read:

27
28 CHAPTER 6.1. HOMELESS YOUTH BASIC MATERIAL NEEDS
29 ASSISTANCE PROGRAM
30

31 13710. This chapter shall be known, and may be cited, as the
32 Homeless Youth Basic Material Needs Assistance Program.

33 13712. For purposes of this chapter, the following definitions
34 apply:

35 (a) "Additional material needs assistance" means clothes,
36 blankets, and access to shelter.

37 (b) "Administering entity" means one of the following:

38 (1) A county that elects to establish a program and does not join
39 with another county as described in subdivision ~~(e)~~ (b) of Section
40 13714.

(2) A county designated as the lead county, if two or more counties elect to establish a program jointly under subdivision (e) of Section 13714.

(3) The department, if a county declines to establish a program or requests the department to administer the program.

(c) “Basic material needs assistance” means school supplies, dental supplies and other hygienic products, shoes, ~~and socks.~~ socks, and underwear.

(d) “Department” means the State Department of Social Services.

(e) “Homeless youth” has the same meaning as that term is defined in Section 11434a of Title 42 of the United States Code.

(f) “Nonprofit organization” means a nonprofit corporation qualified to do business in California and qualified under Section 501(c)(3) of the federal Internal Revenue Code.

(g) “Program” means the Homeless Youth Basic Material Needs Assistance Program.

13714. (a) From moneys appropriated by the Legislature for the purpose of this chapter, the department shall allocate a proportional amount to each county program pursuant to this chapter based on that county’s respective number of homeless youth. The moneys allocated to the county shall be used to establish and operate a Homeless Youth Basic Material Needs Assistance Program for homeless youth in that county.

(b) A county may join with one or more other counties for the purpose of pooling the allocations made to the counties under this section and establishing a program for those counties.

(c) If a county declines to establish a program or requests the department to administer the program, the department shall retain the county’s proportional share of funds and shall directly administer a program for homeless youth in that county, including ~~the performance of contracting with a nonprofit and performing~~ all duties set forth in this chapter.

13716. Each administering entity shall do all of the following:

(a) Solicit proposals from nonprofit organizations for the purpose of providing basic material needs assistance to homeless youth in the manner directed by the administering entity, subject to the requirements imposed by this chapter.

(b) Select and contract with one or more nonprofit organizations to participate in the program based on the proposals solicited under

subdivision (a). Selection of a nonprofit organization shall be based on the following criteria:

(1) Demonstrated ability to form partnerships with local educational agencies (LEAs).

(2) Demonstrated ability to provide basic material needs assistance to homeless or low-income youth by working with LEAs.

(3) Ability to work with the homeless liaison of each LEA pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, or his or her LEA-employed designee.

(4) Demonstrated ability to generate additional matching funds or in-kind resources for similar programs.

(c) Require each nonprofit organization contracted under subdivision (b) to do all of the following:

(1) Notify the homeless liaison of a county office of education of the organization's intent to enter into new partnership agreements with the LEAs in that county.

(2) Form or maintain partnerships with LEAs for the purpose of providing basic material needs assistance to homeless youth.

(3) Notify the homeless liaison of a county office of education each time a basic material needs assistance program commences or is renewed.

(4) Provide basic material needs assistance to homeless youth, giving first priority to hygiene, dental, and school supply needs. A nonprofit organization may use other resources or demonstrated savings to provide additional material needs assistance.

(5) Provide at least a 25-percent match for all moneys received from the administering entity under this chapter. If the nonprofit organization provides in-kind materials toward the 25-percent match, the value of the in-kind materials contributing to a 25-percent match shall be verified by the donor of the materials and shall not exceed the market value of the materials if sold at retail. Any amounts provided by the nonprofit organization that exceed the 25-percent match constitute demonstrated savings that may be used in accordance with paragraph (4).

(6) Consult with the children and families commission of the county or counties served by the program to determine how to best provide basic material needs assistance to homeless youth from birth to ~~5~~ five years of age, inclusive, if the administering entity elects to include homeless youth of that age in its program.

1 (7) *Following each distribution cycle, each contracted nonprofit*
2 *shall prepare a report for the administering entity. The report*
3 *shall include, but not be limited to, the following information:*

4 (A) *The number of homeless youth assisted.*

5 (B) *The locations of the distributions.*

6 (C) *The date or range of dates of distributions.*

7 (D) *Descriptions of the materials distributed.*

8 (E) *A letter from each LEA, shelter, or other partnering entity,*
9 *verifying the information submitted pursuant to subparagraphs*

10 *(A) through (D), inclusive.*

11 (F) *Original letters from all donors contributing any in-kind*
12 *materials counting toward the required match.*

13 13718. *After three years of operation of the program, the*
14 *department shall issue a simplified report including the following*
15 *information:*

16 (a) *The number of homeless youth assisted each year.*

17 (b) *A description of the assistance provided.*

18 (c) *The total match leveraged and the match leveraged by each*
19 *county.*

20 (d) *A scanned or paper copy of the original letters from each*
21 *LEA or other partner, as described in paragraph (7) of subdivision*
22 *(c) of Section 13716.*

23 (e) *Any significant achievements in absenteeism reduction,*
24 *improved academic outcomes, improved living or social outcomes,*
25 *and any other significant improvements.*